SEP 7 - 2007

ROBERT H. SHEMWELL, CLERK WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA MONROE DIVISION

KEITH L. BARNES

CIVIL ACTION NO. 3:05CV15

VERSUS

JUDGE JAMES

WARDEN, CLAIBORNE PARISH DETENTION CENTER MAGISTRATE JUDGE HAYES

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

___ The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Morror, Louisiana, this 7 Day of Systemb, 2007

Robert G. James

UNITED STATES DISTRICT JUDGE